

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
MARCH 22, 2021

The Regular meeting of the Township Committee of the Township of Bordentown was held virtually using Zoom due to the ongoing public health emergency.

PRESENT: Mayor Stephen Benowitz
Deputy Mayor Eric Holliday
Committeeman Eugene Fuzy
Committeeman James Kostoplis
Committeewoman Aneka Miller
Administrator Michael Theokas
Clerk Maria Carrington
Attorney Eileen Fahey

ABSENT: None

Mayor Benowitz called the meeting to order at 6:31 p.m.

Roll Call was taken by Township Clerk Carrington.

Resolution 2021-3-22 entitled RESOLUTION TO MEET IN CLOSED EXECUTIVE SESSION moved by Committeeman Kostoplis and seconded by Committeeman Fuzy. Voice Vote – Motion Carried.

The closed session was adjourned at 7:23 p.m. through a motion made by Committeewoman Miller, seconded by Committeeman Fuzy. Voice Vote – Motion Carried. The meeting was reopened to the public at 7:30 p.m.

The Mayor led a salute to the flag and a moment of silence dedicated to the losses of Ziggy Targonski, a former Bordentown City Mayor and Commissioner who tirelessly gave his all to the city he loved and who helped shape its future, Rich DeLuca, a Bordentown Township businessman, Elks Exalter Ruler, neighbor and active community member, and to the victims of the Atlanta Georgia spa shooting. Our condolences to the family and friends of all mentioned. May they rest in peace.

Township Clerk Carrington read the following Open Public Meeting Announcement:

This meeting is called pursuant to the provisions of the Open Public Meeting Act. Adequate and electronic notice of this meeting was provided. The notice of the 2021 meeting schedule was sent to the *Burlington County Times* and *The Times* on January 5, 2021 and subsequently published by the *Burlington County Times* on January 8, 2021. The notice has been, and remains, posted on the Township website and the bulletin boards in the Municipal Building. A copy of the notice is also on file in the Township Clerk's office to be made available to the public upon request. The proceedings of this meeting are being electronically recorded

Correspondence: The Mayor announced that Resolution P-2021-06 was received from the Planning Board noting that no ordinance changes were recommended based upon the applications heard in 2020. A memorandum dated January 4, 2021 was also received from the Planning Board providing its annual review of variance applications considered during Calendar Year 2020.

Administrative Review: Clerk Carrington stated that there were no changes to the agenda.

Consent Agenda:

Resolution #2021-83 entitled APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS

Resolution #2021-84 entitled RESOLUTION AMENDING RESOLUTION #2021-48 AND APPOINTING KATHLEEN HILL AS TAX ASSESSOR FOR THE TOWNSHIP OF BORDENTOWN

Resolution #2021-85 entitled AUTHORIZING ISSUANCE OF A PUBLIC GATHERING LICENSE TO “GOALS START NOW”

Resolution #2021-86 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

Resolution #2021-87 entitled RESOLUTION APPOINTING INTERIM CERTIFIED TAX COLLECTOR

Resolution #2021-88 entitled RESOLUTION APPOINTING TEMPORARY CHIEF FINANCIAL OFFICER

Resolution #2021-89 entitled RESOLUTION TO AWARD A CONTRACT FOR THE FY2018/FY2019 WARD AVENUE RESURFACING PROJECT PHASES I AND II

Resolution #2021-90 entitled RESOLUTION APPOINTING CHIEF FINANCIAL OFFICER AND CERTIFIED TAX COLLECTOR

Resolution #2021-91 entitled RELEASE OF INTERIM STORMWATER IMPROVEMENTS MAINTENANCE GUARANTEE FOR INTERSTATE 7 DISTRIBUTION CENTER/DCT MIDLINE, LLC WAREHOUSE LOCATED AT 425 RISING SUN ROAD (BLOCK: 137.02 LOT: 5.01)

Resolution #2021-92 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

Resolution #2021-93 entitled APPROVING ROUTINE BUSINESS: PAYMENT OF BILLS

Resolution #2021-94 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO AUTHORIZE FINAL COMPENSATION TO SUZANNE MCCANNEY UPON RETIREMENT

Resolution #2021-95 entitled RESOLUTION APPOINTING ACTING MUNICIPAL COURT ADMINISTRATOR

Resolution #2021-96 entitled RELEASE OF MAINTENANCE GUARANTEE, CASH PERFORMANCE GUARANTEE & INSPECTION ESCROW FOR LONGWELL CROSS HOMES, LLC

Township Committee review and discussion of Consent Agenda Items Resolutions #2021-83 through #2021-96: Committeeman Fuzy stated that regarding the cycling event seeking a public gathering permit (Resolution #2021-85), he looked into their Covid prevention practices and is confident with their preparations. He would like to see the applicant, Goals Start Now, be able to get a refund should their

event be cancelled or altered. Administrative Theokas stated that a refund would be processed in such a circumstance.

Deputy Mayor Holliday made a motion to open the Consent Agenda items for public comment; seconded by Committeewoman Miller. Voice Vote – Motion Carried. There being no public comment, Committeeman Fuzy made a motion to close the Consent Agenda to public comment; seconded by Committeeman Kostoplis. Voice Vote – Motion Carried.

Deputy Mayor Holliday made a motion to adopt the Consent Agenda consisting of Resolutions #2021-63 through #2021-96; seconded by Committeeman Fuzy. Roll Call Vote:

AYE: Committeeman Fuzy, Committeeman Kostoplis, Committeewoman Miller, Deputy Mayor Holliday, Mayor Benowitz

NAY: None

Ordinance #2021-3 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, BURLINGTON COUNTY, NEW JERSEY AMENDING AND MODIFYING SECTION 25.502, STORMWATER MANAGEMENT, OF THE BORDENTOWN TOWNSHIP MUNICIPAL CODE

Mayor Benowitz announced that a March 10, 2021 letter from the County Planning Board Engineer was received advising that the Township Stormwater Management Plan and Ordinance #2021-3 were approved. The Planning Board, via Resolution #P-2021-08, determined the Stormwater Management code changes were consistent with the Master Plan.

Public Hearing: Committeewoman Miller made a motion to open the public hearing on Ordinance #2021-3; seconded by Committeeman Fuzy. Voice Vote – Motion Carried. There was no public comment. A motion was made by Committeeman Kostoplis to close the public hearing; seconded by Committeeman Fuzy. Voice Vote – Motion Carried.

Adoption: Deputy Mayor Holliday made a motion to adopt Ordinance #2021-3; seconded by Committeeman Fuzy. Roll Call Vote:

AYE: Committeeman Fuzy, Committeeman Kostoplis, Committeewoman Miller, Deputy Mayor Holliday, Mayor Benowitz

NAY: None

Ordinance #2021-3 was adopted.

Introduction of the 2021 Municipal Budget:

Administrator Theokas stated that a budget presentation will be made by the auditor at the April 12 meeting. Interim CFO Joseph Monzo summarized the 2021 budget and stated that the municipal purpose tax, the portion under the Township Committee's control, would be staying flat.

Resolution #2021-97 entitled INTRODUCTION OF 2021 MUNICIPAL BUDGET (BY TITLE ONLY) was moved for adoption by Committeewoman Miller; seconded by Deputy Mayor Holliday. Roll Call Vote:

AYE: Committeeman Fuzy, Committeeman Kostoplis, Committeewoman Miller, Deputy Mayor Holliday, Mayor Benowitz

NAY: None

The public hearing on the budget will be held at the April 26, 2021 meeting.

Business:

- a. Outdoor Restaurant Dining Policy: Administrator Theokas advised that local restaurants want to continue outdoor dining. Resolution #2021-98 would extend the policy used last summer to protect public safety. There is no fee for restaurants to apply. The police, fire, construction and community development departments are able to review the applications quickly.

Resolution #2021-98 entitled RESOLUTION AMENDING AND EXTENDING RESOLUTION #2020-128 PERMITTING TEMPORARY OUTDOOR SEATING FOR RESTAURANTS was moved for adoption by Committeeman Kostoplis; seconded by Committeewoman Miller. Roll Call Vote:

AYE: Committeeman Fuzy, Committeeman Kostoplis, Committeewoman Miller, Deputy Mayor Holliday, Mayor Benowitz

NAY: None

- b. Coronavirus Relief Package/CARES Act: There are municipal grants and funding available. No formal guidance has been received yet regarding the parameters. The Township expects up to \$1.1 million to be received in 2 installments. This amount is not accounted for in the 2021 Introduced Budget. Interim CFO Monzo stated that the funds to be received are not to be used for tax relief, but rather the funds must be used for Covid-related infrastructure.
- c. Loud Music: There have been reports of loud music being heard throughout the Township late at night. The noise is not coming from Bordentown Township but from the surrounding area—possibly Hamilton, Trenton or the Delaware River. Residents are urged to call the Police when they hear the noise so that it can be documented. We are working with the surrounding towns and the state police.
- d. Public Events: Due to Covid-19, 2020 events were cancelled. Administrator Theokas asked the Township public safety officials for their opinions as to whether the July 4th fireworks should be held at Joseph Lawrence Park. At a minimum, the public safety officials (police, fire, OEM) recommended delaying the fireworks until Labor Day Weekend. Committee members voiced their agreement. The Township is currently planning a scaled-back Fall Festival to be held in October.

Local Board of Health:

- a. The County Department of Health serves as the Township's health officer and sends the Township reports of their investigation. Since late 2020, the county has sent the Township eight reports. Four of the reports concerned odor complaints which were identified as coming from a Pennsylvania landfill. Residents are asked to report these odors to the NJ DEP and the County so that they can be addressed. Other reports included one report of a fuel spill, one unsubstantiated illegal dumping complaint, one complaint concerning excessive dog waste at a residence and one complaint regarding the feeding of feral cats.
- b. COVID-19 Update: The Mayor provided an update regarding COVID-19 in the Township. There have been 710 confirmed cases in the Township. Town Hall remains open but public access is restricted to the lobby area. Although vaccination numbers are up and infection rates are also up.

All residents are reminded to stay vigilant and wear masks, socially distance and wash hands and surfaces.

Administrator's Report:

The deteriorating roadway after entering the Acme shops is being addressed. The Township welcomes Laurie Finger as the new CFO and Tax Collector. She will be starting next month. Until then, Joe Monzo will serve as interim CFO and Christine Swiderski will serve as the interim Certified Tax Collector. The Township congratulates Suzanne McCanney on her retirement from her position as the Municipal Court Administrator. Sarah Capritti will serve as the Acting Municipal Court Administrator.

Township Committee Liaison Reports

Committeeman Fuzy, Committeeman Kostoplis, Committeewoman Miller, Deputy Mayor Holliday and Mayor Benowitz gave reports.

Public Participation

Committeewoman Miller made a motion to open the meeting for public participation; seconded by Committeeman Fuzy Voice Vote – Motion Carried.

ELIZABETH McGLONE, 33 VALLEY FORGE ROAD: Ms. McGlone requested a hearing regarding the sidewalk violations received by herself and her neighbors in the Holloway Meadows area noting that it was upsetting to receive a first violation notice during COVID with unreasonable timelines. She stated that she believes that the developer planted trees too close to the sidewalk, and that at one time, the Township replaced the trees. She questioned the upkeep of the Township's open space. She does not deny the necessity of the sidewalk improvements. She requested the plans used when the development was built.

KEVIN JOHNSON, TEAM CAMPUS II, 115 US ROUTE 30: Mr. Johnson spoke of the Township needing a full-time Community Development Director who could also do economic development work to solicit companies and grow the community. He questioned why, with the recent hires of Township staff, there is not greater diversity. Mayor Benowitz said that the Township seeks diversity and that Mr. Johnson's point is well taken.

ROSE MAZZELLA, 2 ALFRED COURT: She wants to the know the next steps regarding the sidewalk violations. She wanted to know whether a hearing was being considered.

RICHARD NAPPA, 28 VALLEY FORGE ROAD: Mr. Nappa claims a tree was planted in the utility easement on his property which now threatens his water connection. The Township Manager stated that his property would be checked and that comments are unable to be made about his specific property without such an inspection.

WILLIAM RITTER, 3 ALFRED DRIVE: Mr. Ritter stated that the Township Engineer must have approved the Holloway Meadows development plans. He stated he would fix his sidewalk. He requested the site plans for the development. The administrator stated that he could file an OPRA request for the plans.

ANGELA JANISZEWSKI, 47 VALLEY FORGE ROAD: Ms. Janiszewski questioned the specifics regarding OPRA and requested a fee waiver. The Administrator said the Township will review the OPRA request. It is possible the request could be fulfilled electronically (no charge) or the documents can be made available for personal inspection.

ELIZABETH McGLONE: Thanked the Committee for listening to their concerns. She asked if there are any safety measures that they should take while the matter is being investigated. Administrator Theokas stated the Township would appreciate any sidewalk safety measures that are possible in the short term as the goal is safety.

Deputy Mayor Holliday made a motion to close the meeting to the public; seconded by Committeewoman Miller. Voice Vote – Motion Carried.

Deputy Mayor Holliday highlighted the Police Department’s diversity despite the Civil Service hiring protocols. The Police recently retained new officer from the Sherriff’s department using the Intergovernmental Transfer program. He applauded the Committee’s ability to control their portion of the tax rate by keeping it flat.

Deputy Mayor Holliday made a motion to adjourn the meeting at approximately 8:46 PM; seconded by Committeeman Fuzy. Voice Vote – Motion Carried.

MARIA CARRINGTON, TOWNSHIP CLERK